

March 18th, 2024

Jay Parker, AICP
Principal Planner
Town of South Kingstown
180 High Street
South Kingstown, RI 02879

**RE: Tidestorm, LLC; Text Amendment and Map Amendment;
Supplemental Materials**

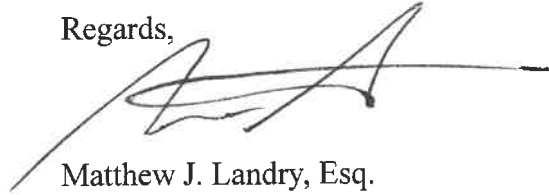
Mr. Parker:

Following the Planning Board's review of the Petition on February 15th and February 27th, 2024, we are providing your office with supplemental materials to address some of the comments that were raised during those proceedings as follows:

- 1) Map of lots proposed for re-zoning (as amended). The enclosed map has been amended to remove all of the residentially zoned parcels from the petition. The Petition shall only include those lots currently zoned Commercial Neighborhood (CN).
- 2) Supplemental narrative for proposed amendment. The Narrative has been revised to update the parcels proposed for zone change to be consistent with the forgoing map submission. The following residentially zoned parcels have been removed from the petition: A.P. 93-4, Lots 2, 3, 4, 5, 6, 38, 39, 40; A.P. 92-2, Lot 49; A.P. 93-1, Lots 1, 2, 3, 4. The narrative also includes a comprehensive list of uses currently allowed in the Commercial Neighborhood (CN) Zoning District either by right or through Special-Use Permit. Petitioner does not intend to add or remove any uses allowed under existing zoning except for those accessory uses set forth in the narrative.
- 3) Finally, the attached Narrative has been revised to include an operational summary to provide a response to operational questions raised during the planning board proceedings. We also expect to supplement the materials with a traffic statement from John Shevlin of Pare Corporation as it relates to the amendment.

Please do not hesitate to contact me if you require additional information.

Regards,

A handwritten signature in black ink, appearing to read 'M. Landry', with a long horizontal flourish extending to the right.

Matthew J. Landry, Esq.

PROPOSED AMENDMENT
To the
Town of South Kingstown Zoning Map and Zoning Ordinance
to establish the
Commercial Neighborhood – Matunuck Village (CN-M) Zoning District
(Revised as of 3.18.24)

Zoning Map Amendment:

- The following lots are proposed for rezoning from the Commercial Neighborhood (CN) Zoning District to the Commercial Neighborhood-Matunuck Village (CN-M).
 - 1) Rezone the following parcels to the CN-M Zone.
 - A.P. 92-3, Lots, 1 through 12;
 - A.P. 92-2, Lots 47, 48, 50, 52, 53
 - A.P. 93-4, Lots 1,42, 43

Zoning Ordinance (Text) Amendment

Article 1 Establishment of Districts and Official Zoning Map

Section 101B – Commercial

Add the following:

I. Commercial Neighborhood-Matunuck (CN-M) Zone

The purpose of this district is to establish a pedestrian friendly beach community comprised of small-scale retail and dining establishments designed to provide local business service to the community surrounding Matunuck Beach Road. This district includes mixed-uses within specially designed retail areas which include office uses and specific public and semi-public uses with single and multi-household residential development designed in a manner consistent with a New England beachfront community. The intent of this district is to allow certain uses that are desirable to the Matunuck Beach Village community, that may not otherwise be appropriate for other areas of Town zoned Commercial Neighborhood, including those areas abutting educational institutions.

Article 12 – Definitions

Add the following definitions

Brewery – An establishment where beer or malt beverages are made on the premises. A Manufacturers License or Brewpub Manufacturer’s License to make alcoholic beverages under G.L. 1956, §§ 3-6-1 or §§ 3-6-1.2 as amended shall be required and such establishments must meet all local and state regulations pertaining to sales for on-site or off-site consumption and/or food sales.

Brewpubs – An establishment where beer and malt beverages are made on the premises in conjunction with a restaurant or bar, and where 40 percent or more of the product made on site is sold on site. Brewpubs may distribute to off-site accounts or sell beer to take away in accordance with state law. A manufacturer’s license to make alcoholic beverages under G.L. § 3-6-1 or § 3-6-1.2 shall be required and such establishments must meet all local and state regulations pertaining to sales for on-site or off-site consumption and/or food sales.

Distilleries – An establishment or facility that manufactures intoxicating liquor on the premises and has been issued a manufacturer’s license under applicable G.L. § 3-6-1.

Farm Brewery – An establishment located on a farm of no less than that produces beer or other malt beverages which is manufactured with at least one primary ingredient (hops or grain) grown on premises and whose annual production does not exceed 15,000 gallons of beer or malt beverage. Customers would have the opportunity to tour the farm and try small samples (3 ounces or less) and purchase bottles (of up to 64 ounces each) to take home and consume off site. A farm brewery must have all appropriate state licenses and may sell beer at wholesale to retailers consistent with said licenses. Direct sales to on-site consumers for consumption on or off site shall be in accordance with state law.

Article 3 – Use Regulations

Section 301 – Schedule of Use Regulations Table

USE	CN-M
Accessory Brewery to Restaurant with alcohol (See Use Code 56.1)	Y
Accessory Brewpub to Restaurant with alcohol (See Use Code 56.1)	Y
Accessory Distillery to Restaurant with Alcohol	Y
Farm Brewery	Y

Article 503 -Accessory Uses

Add the following:

503.13 –

A. Brewery/Brewpubs - A Manufacturer's License *or* Brewpub Manufacturer's License to under G.L. 1956, § 3-6-1 or 3-6-1.2 as amended shall be required and be subject to any conditions imposed by the Planning Board or Zoning Board.

B. A property owner who proposes to use an existing individual sewage disposal system (ISDS) to serve a new or existing brewery/brewpub must obtain an ISDS change of use approval from the Rhode Island Department of Environmental Management, if applicable, and conform to all RIDEM regulations as deemed applicable.

C. The brewery/brewpub is intended and is to be used principally in connection with the operation of a Restaurant with Alcohol as lawfully permitted and licensed by the Town of South Kingstown and State of Rhode Island and is intended to be use accessory to such use. The accessory use may be located in the same structure as the operation of a Restaurant with Alcohol or in a detached structure located on the same lot.

D. All accessory breweries and brewpubs are subject to the property owner holding a Class A, B, or BM license, or other license deemed applicable as required by the Town of South Kingstown or State of Rhode Island.

E. Accessory brewery and brewpubs are subject to the limits applicable to sale, distribution and on-site/off-site consumption as regulations by R.I.G.L. 1956 § 3-6-1 and 3-6-1.2 as amended.

F. Accessory brewery and brewpubs are allowed as accessory subject to the parking regulations applicable to the principal use.

G. Accessory brewery and brewpubs shall be limited to 1,500s.f. in size to accommodate all necessary equipment in conjunction with the operation and otherwise cannot exceed the footprint of the principal structure. An applicant may seek relief from the requirements of this section upon submission of an application for a variance to the South Kingstown Zoning Board of Review.

H. Accessory brewery operations are subject to any rules and restrictions imposed by the Town of South Kingstown Town Council upon issuance of any licenses required for the operation on the premises.

Narrative

The proposal contemplates a text amendment to the SK Zoning Ordinance, as well as an amendment to the Table of Uses for the creation of the Commercial Neighborhood-Matunuck Village (CN-M) Zoning District.

Under existing regulations, *Brewpub, Brewery and/or Distillery* uses would fall under the umbrella category: “*Food Products Manufacturing*” which includes “beverage manufacturing and/or bottling; brewery or distillery uses.” Food Products Manufacturing is currently limited to Industrial Zoning District I-1, I-2, and I-3 and certain Overlay Districts such as the Route 1 Special Management District i.e. winery. The text amendment would create a new Commercial Neighborhood Matunuck Village zoning district to allow such uses in the Matunuck Beach Village area while isolating the expansion of such uses.

The proposed amendment is being submitted in conjunction with a conceptual site plan for property located at 920 Matunuck Beach Road (AP 92-2, Lot 53). The initial concept contemplates an update to an existing garage to be moved from adjacent property owned by the Applicant at 932 Matunuck Beach Road (A.P. 92-2, Lot 50), for conversion into a “test kitchen/tap room” where small batches of beer (only) would be sold and sampled at this location. The taproom would be considered a “front porch” for the brand and product, providing a grassroots experience that embodies The Village of Matunuck. Any physical alterations or architectural upgrades on the site would be designed in conformance with the brand ethos and done to be complimentary to and consistent with the authenticity of The Village of Matunuck. The intent is to make the tap room “accessory” to the existing restaurant with alcohol use and facilitate an additional offering to existing customers.

Applicant is proposing an initial operation schedule consistent with that of the existing restaurant and retail operations on the property: seven (7) days per week between the hours of 11:00a.m. through 11:00p.m. Proposed brewery operation would initially consist of a ten (10) to fifteen (15) barrel system typical of small-scale operations that will limit the amount of days brewing is required and is expected to employ 1-3 employees. **Deliveries for the use are expected to occur monthly during normal business hours of 9:00a.m. and 5:00p.m, Monday through Friday. Deliveries are expected to occur in the large parking lot area associated with the existing pizza/surf shop. There is ample space to turn around in the area. Given the limited production on site, there is little need for storage. Raw material storage is not expected to be significant and most product can be stored inside the facility.**

With respect to the fermentation process, yeast and sediment can be captured in cone bottom tanks and recycled by local farms. The remaining screens in the mash also aid in the removal of large sediment. The Applicant expects to store this product and remove it once or twice, as needed and deliver it to local farms, such as Earth Care in Charlestown.

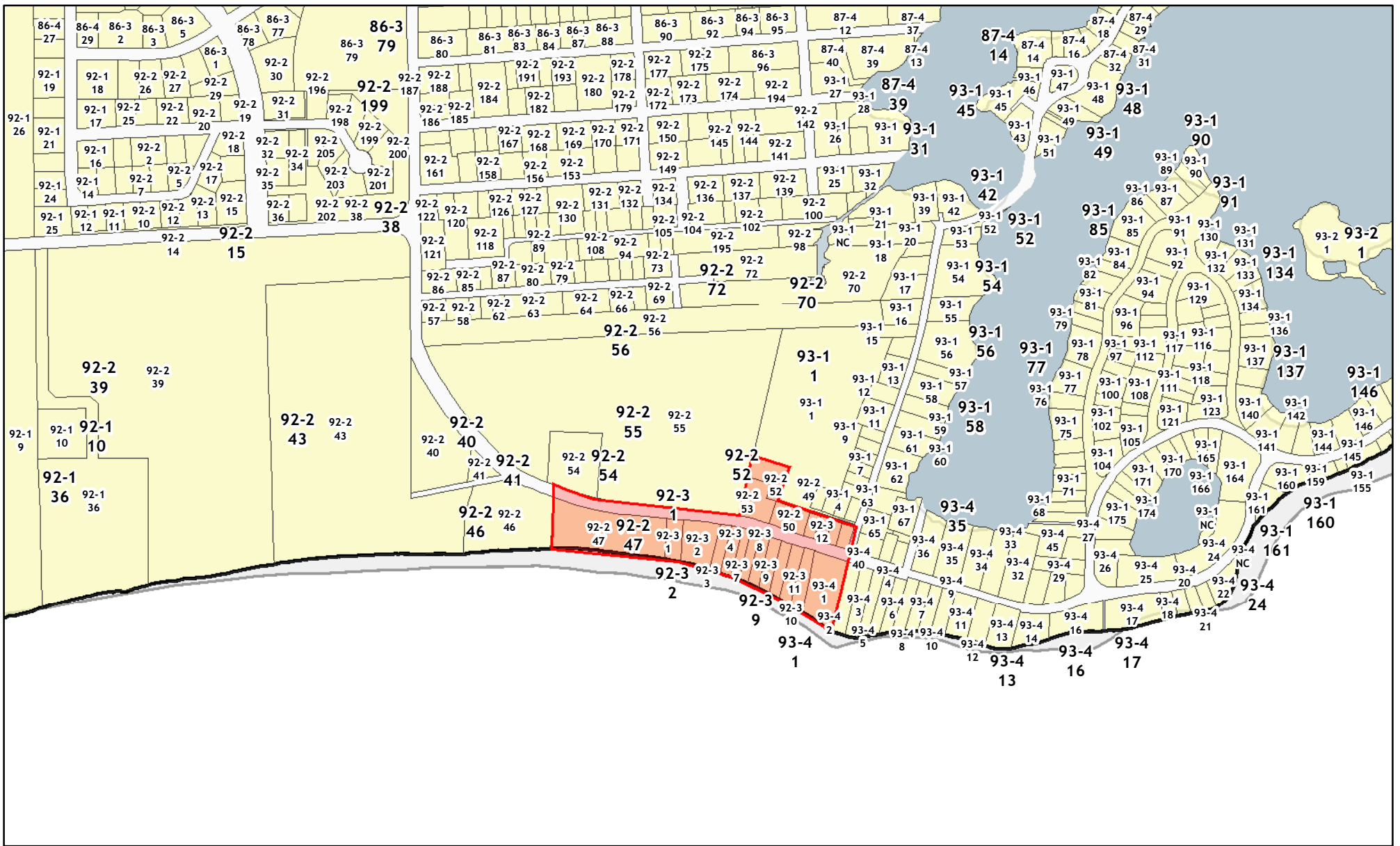
Although the proposal would be the first of its kind in the area, the petitioner is cognizant of the local infrastructure and capacity limitations that would limit brewing at a larger scale in Matunuck. If production is ever needed outside of this location, production would take place off site at a larger brewery, such as Isle Brewers Guild in Pawtucket, R.I. by way of example. Other Rhode Island brands have followed suit and are currently doing this such as Chair 2. The goal of this initiative is to allow the creation of a brand and identity in this area that is consistent with The Village of Matunuck to be born out of the Village.

The Commercial Neighborhood-Matunuck Village Zoning District contemplates an array of permitted uses consistent with uses already allowed under existing zoning while adding additional (limited) accessory uses. The CN Zoning District encompasses opposite ends of town comprised of distinguishable neighborhood characteristics. The petitioner has considered amending the existing CN Zoning District to allow brewery/brewpubs either by right or through special use. The creation of a new zoning district that is both complementary to and consistent with existing zoning regulations for the area will aid the Town in expanding commercial offerings where appropriate, but isolate expansion of breweries and brewpubs to areas that are more desirable and avoid a conflict of uses in CN zoned areas near educational institutions. The Amendment will also allow The Village of Matunuck to provide modern business uses to help keep the Village thriving for years to come.

TABLE OF USES

Crop Farm
Livestock Farm
Single Household
Two Household
Multi Household (up to 12 units)
M HH Land Development Project
Loft
Commercial Residence
Transient Residence
Educational Institution (Sp. Use)
Special Needs School (Sp. Use)
Schools
Religious Use
Religious Housing
Rehab (Sp. Use)
Medical/Dental Office
Vet Office
Vet Hospital (Sp. Use)
Assisted Living
Public Safety Facility (Sp. Use)
Government Use
Day Care Home
Day Care Center

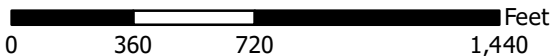
Service Organization
Museum
Assembly (Sp. Use)
Theater with and without alcohol (Sp. Use)
Sports Facility
Park/Playground
Community Center
Fraternal Org.
Wildlife Refuge
Bed and Breakfast (12 rooms)
Hotel (up to 20 rooms)
Office up to GLFA 10,000
Funeral Home (Sp. Use)
General Business up to 10,000s.f. GLFA(Sp. Use)
Artisan Shop
Boat Storage
Retail Trade (up to 10,000s.f. GLFA)
Retail Marine/Auto (Indoor) (Sp. Use)
Restaurant
Restaurant with Alcohol (Sp. Use)
Mobile Food
Mobile Food Court (Sp. Use)
Accessory Walk Up Window
Parking
Utilities
Cell Tower
Broadcast Tower
Accessory Solar
Arts and Crafts Manufacturing
Contaminated Site Solar Energy System (Sp. Use)



Washington County, Rhode Island

Horizontal Datum is Rhode Island State
Plane Feet, NAD83.

1 inch = 567 feet



Town of South Kingstown Web GIS

Parcel Boundaries not legally binding for title or zoning purposes.

The Town of South Kingstown makes no warranty as to the accuracy, reliability, or completeness of the information and is not responsible for any errors or omissions for results obtained from the use of the information.